

Ordinance No. \_\_\_\_\_

**AN ORDINANCE ASSENTING TO THE DETACHMENT OF TERRITORY  
CONSISTING OF 7.72 ACRES IN THE CITY OF DEFIANCE TO  
DEFIANCE TOWNSHIP, OHIO**

**WHEREAS**, the property owner of 20308 County Road 424, Defiance, Ohio plans to petition the Board of Commissioners of Defiance County, Ohio to detach from the City and join the contiguous Defiance Township, Ohio; and,

**WHEREAS**, Section 709.38 of the Ohio Revised Code permits the detachment of territory from a municipality "with the assent of the legislative authority of the municipal corporation"; and,

**WHEREAS**, the property owner will petition the Board of Commissioners of Defiance County, Ohio for detachment of the subject property from the municipality upon approval of this Ordinance;

**Now therefore**, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

**Section 1:** Council assents to the detachment of territory, more specifically described in "Exhibit A" and attached hereto, from the municipality and into the contiguous township pending approval from the Board of Commissioners of Defiance County, Ohio.

**Section 2:** The City Administrator is directed to enter into the Water Purchase and Sale Agreement, attached hereto as "Exhibit B", with the property owner upon detachment from the municipal corporation.

**Section 3:** It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

**Section 4:** This Ordinance shall be effective on the earliest date permitted by law.

Passed: \_\_\_\_\_, 2019

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2019

\_\_\_\_\_  
Mayor

# Ordinance No. \_\_\_\_\_

## AN ORDINANCE APPROVING CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF DEFIANCE, OHIO

**WHEREAS**, various ordinances of a general and permanent nature have been enacted by Council which must be reflected accurately in the Codified Ordinances; and,

**WHEREAS**, certain provisions of the Codified Ordinances pertaining to the exercise of municipal police powers must be amended to conform those Ordinances to recently enacted State laws as required by the Ohio Constitution; and,

**WHEREAS**, the City entered into a contract with the Walter Drane Company, now known as the American Legal Publishing Corporation, to prepare and publish the necessary revisions to the Codified Ordinances; and,

**WHEREAS**, the proposed revisions are now before Council for final review;

**Now therefore**, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

**Section 1:** The municipal ordinances of a general and permanent nature, as revised, recodified, rearranged, and consolidated into component codes, titles, chapters and sections by the 2019 Replacement Pages to the Codified Ordinances of the City of Defiance, Ohio, are hereby approved and adopted.

**Section 2:** The following sections and chapters are hereby added, amended, or repealed as indicated to conform municipal police regulations to recently enacted State law:

### Traffic Code

- 301.04 Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
- 301.20 Motor Vehicle. (Amended)
- 301.251 Predicate Motor Vehicle Offense. (Amended)
- 301.361 Shared-Use Path. (Amended)
- 301.51 Vehicle. (Amended)
- 301.53 Waste Collection Vehicle. (Added)
- 303.06 Freeway Use Restricted. (Amended)
- 303.991 Committing an Offense While Distracted Penalty. (Added)
- 313.01 Obedience to Traffic Control Devices. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.01 Driving Upon Right Side of Roadway; Exceptions. (Amended)
- 331.02 Passing to Right When Proceeding in Opposite Directions. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.04 Overtaking and Passing Upon Right. (Amended)
- 331.05 Overtaking, Passing to Left of Center. (Amended)
- 331.06 Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
- 331.07 Hazardous or No Passing Zones. (Amended)
- 331.08 Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
- 331.09 Following Too Closely. (Amended)
- 331.10 Turning at Intersections. (Amended)
- 331.12 "U" Turns Restricted. (Amended)
- 331.13 Starting and Backing Vehicles. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 331.15 Hand and Arm Signals. (Amended)

Traffic Code (Cont.)

- 331.16 Right of Way at Intersections. (Amended)
- 331.17 Right of Way When Turning Left. (Amended)
- 331.18 Operation of Vehicle at Yield Signs. (Amended)
- 331.19 Operation of Vehicle at Stop Signs. (Amended)
- 331.20 Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
- 331.22 Driving Onto Roadway From Place Other Than Roadway: Duty to Yield. (Amended)
- 331.23 Driving Onto Roadway From Place Other Than Roadway: Stopping at Sidewalk. (Amended)
- 331.24 Right of Way of Funeral Procession. (Amended)
- 331.26 Driving Upon Street Posted as Closed for Repair. (Amended)
- 331.27 Following and Parking Near Emergency or Safety Vehicles. (Amended)
- 331.28 Driving Over Fire Hose. (Amended)
- 331.29 Driving Through Safety Zone. (Amended)
- 331.30 One-Way Streets and Rotary Traffic Islands. (Amended)
- 331.31 Driving Upon Divided Roadways. (Amended)
- 331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 331.40 Stopping at Grade Crossing. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Public Safety Vehicle. (Amended)
- 333.04 Stopping Vehicle. (Amended)
- 333.05 Speed Limitations Over Bridges. (Amended)
- 337.16 Number of Lights. (Amended)
- 337.27 Drivers and Passengers Required to Wear Seat Belts. (Amended)
- 351.03 Prohibited Standing of Parking Places. (Amended)
- 371.01 Right of Way in Crosswalk. (Amended)
- 371.02 Right of Way of Blind Person. (Amended)
- 371.07 Right of Way on Sidewalk. (Amended)
- 373.01 Code Application to Bicycles. (Amended)
- 373.02 Riding Upon Seats. (Amended)
- 373.03 Attaching Bicycle to Vehicle. (Amended)
- 373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 373.05 Signal Device on Bicycle. (Amended)
- 373.06 Lights and Reflector on Bicycle. (Amended)
- 373.07 Riding Bicycle on Right Side of Roadway. (Amended)
- 373.08 Reckless Operation. (Amended)
- 373.09 Parking of Bicycle. (Amended)
- 373.10 Motorized Bicycle Operation. (Amended)
- 373.18 Electric Bicycles. (Added)



# Ordinance No. \_\_\_\_\_

## AN ORDINANCE ACCEPTING REAL PROPERTY ADJACENT TO THE OTTAWA AVENUE AND CLEVELAND AVENUE INTERSECTION AND DECLARING AN EMERGENCY

**WHEREAS**, the City identified the need to improve the intersection at Ottawa Avenue and Cleveland Avenue by installing a single lane roundabout, pedestrian facilities, and a place for utilities; and,

**WHEREAS**, the acquisition of property in fee simple absolute from an adjacent property owner is necessary to complete the intersection improvements; and,

**WHEREAS**, Section 715.01 of the Ohio Revised Code authorizes a municipal corporation to acquire property by purchase through a duly-enacted ordinance or resolution by the City Council; and,

**WHEREAS**, Lock 1000, LLC agreed to convey 0.617 acres of land in fee simple absolute on September 27, 2019; and;

**WHEREAS**, the negotiated purchase price for the subject property is \$12,000.00; and;

**WHEREAS**, the Ohio Department of Transportation ("ODOT") safety funds will pay 90% of the acquisition costs; and;

**WHEREAS**, Council finds that property acquisition for construction of a roundabout and pedestrian infrastructure at this critical intersection promotes the Connectivity Pillar of the Defiance Community Strategic Plan;

**Now therefore**, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

**Section 1:** The City Administrator is directed to enter into the Contract for the Sale and Purchase of Real Property with Lock 1000, LLC on file in the office of the Law Director in the amount of \$12,000.00.

**Section 2:** The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-5-2-978.105 of the 2019 annual budget.

**Section 3:** The general warranty deed from the aforementioned property owner is hereby accepted.

**Section 4:** All municipal officers are authorized to take such action as may be necessary or appropriate to secure marketable title to the real property described in the warranty deed.

**Section 5:** The City Law Director shall record the above-referenced conveyance with the Defiance County Recorder.

**Section 6:** It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

**Section 7:** This Ordinance is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that ODOT requires the municipality to execute the purchase agreement within twenty (20) days of execution by the property owner to qualify for the 90% grant funding. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: \_\_\_\_\_, 2019

\_\_\_\_\_  
President of Council

Votes in Favor of Adoption: \_\_\_\_\_

Votes Opposed to Adoption: \_\_\_\_\_

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2019

\_\_\_\_\_  
Mayor

ORDINANCE No. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING TRANSFERS  
OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE  
YEAR ENDING DECEMBER 31, 2019.**

**Whereas**, the Council of the City of Defiance has previously provided for the transfer of funds in the annual appropriation ordinance; and

**Whereas**, the City Finance Director has determined that it is necessary to complete the following transfers in order to meet current expenses and other expenditures of the City:

**Now, therefore**, be it enacted by the Council of the City of Defiance, Defiance County, Ohio:

**Section 1:** That the following amounts shall be transferred for the month of October, 2019.

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 362,500	Police & Fire Fund #201
General Fund #101	\$ 28,333	Police Pension Fund #732
General Fund #101	\$ 30,000	Fire Pension Fund #733
WPC Fund #590	\$ 40,150	General Fund #101
WPC Fund #590	\$ 29,166	Utilities Billing Office Fund #585
WTP Fund #591	\$ 36,325	General Fund #101
WTP Fund #591	\$ 29,166	Utilities Billing Office Fund #585
Refuse #596	\$ 4,833	Utilities Billing Office Fund #585

**Section 2:** It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations that resulted in such formal action being taken, including all deliberations conducted by Committees of the Council, were conducted in meetings open to the public duly convened in compliance with law.

**Section 3:** This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Passed: \_\_\_\_\_, 2019

\_\_\_\_\_  
President of Council

Votes Approving Adoption: \_\_\_\_\_

Votes Opposing Adoption: \_\_\_\_\_

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2019

\_\_\_\_\_  
Mayor

RESOLUTION No. \_\_\_\_\_

**A RESOLUTION IN SUPPORT OF A "HEALTH IN ALL" POLICY  
CREATED BY THE DEFIANCE COUNTY HEALTH DEPARTMENT**

**WHEREAS**, Council adopted the Defiance Community Strategic Plan ("plan") in Resolution No. 2498 on May 1, 2018; and,

**WHEREAS**, "Health and Wellness" is a Pillar of the plan; and,

**WHEREAS**, Council finds that health is a state of complete physical, mental, and social well-being and not merely the absence of disease or illness; and,

**WHEREAS**, research shows that health is influenced by the interaction of many factors and not simply genetics, individual behavior, or access to medical care. It is now widely accepted that conditions in the environments in which people are born, live, work, play, and age, known as social determinants of health, have the greatest influence on health outcomes across populations; and,

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) found that the social, environmental, and economic conditions in which people live, learn, work, and play influence 50-60% of health outcomes across the United States; and,

**WHEREAS**, all residents in the City of Defiance are subject to health equity, the opportunity to attain their full potential and make the choices that allow them to live a long, healthy life as a result of social, economic, and environmental conditions; and,

**WHEREAS**, interagency collaboration has the potential to improve health outcomes in the City through changes to policies, systems and environments; and,

**WHEREAS**, "Health in All" policies are systematic, collaborative, and flexible approaches to improving community health by working with people and agencies to support the integration of health into existing plans and courses of action; and,

**WHEREAS**, Council supports actions to protect the health of all City residents;

**Now therefore**, be it Resolved by the Council of the Municipality of Defiance, Ohio, that:

**Section 1:** Council will apply a "Health in All" policy approach to its own work, including policy development and implementation and delivery of services.

**Section 2:** The City will engage with residents and stakeholders, who may be most affected by potential policies and practices, to ensure that decisions incorporate their knowledge and perspectives when updating plans, policies, and systems that affect public health.

**Section 3:** It is found and determined that all legislative actions pertaining to the adoption of this Resolution were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

**Section 4:** This Resolution shall be effective on the earliest date permitted by law.

Passed: \_\_\_\_\_, 2019 \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2019 \_\_\_\_\_  
Mayor